

Remarks

Claims 79-132 are pending in the subject application. By this Amendment, Applicants have canceled claims 79-132 and added new claims 133-146. Support for the new claims can be found throughout the subject specification and in the claims as originally filed (see, for example, previously presented claims 128-132 and original claim 46). Entry and consideration of the new claims presented herein is respectfully requested. Accordingly, claims 133-146 are currently before the Examiner. Favorable consideration of the pending claims is respectfully requested.

As an initial matter, Applicants respectfully assert that the finality of the Office Action dated November 21, 2005 was improper. Applicants respectfully assert that the amendments to the claims submitted in the Amendment dated August 15, 2005 did not necessitate the new grounds of rejection (*i.e.*, the rejection under 35 U.S.C. § 102(b) presented in the instant Office Action). Applicants respectfully assert that the prior art now cited (Okano *et al.*) should have been cited or identified earlier in the prosecution of these claims. Hence, a final rejection in the outstanding Action is improper and the withdrawal of the finality of the rejection dated November 21, 2005 is respectfully requested.

Claims 80, 82, 83, 121, 123, 124, and 129 are rejected under 35 U.S.C. § 102(b) as anticipated by Okano *et al.* (1997), Eliasof *et al.* (1998), and Carninci *et al.* (1999). The Office Action indicates that the references teach a polypeptide having at least six contiguous amino acids of SEQ ID NO: 5. Applicants respectfully assert that the cited references do not anticipate the claimed invention. However, by this Amendment, Applicants have canceled these claims, thereby rendering this issue moot. Accordingly, reconsideration and withdrawal of the rejection under 35 U.S.C. § 102(b), is respectfully requested.

Claims 79-132 are rejected under 35 U.S.C. § 112, first paragraph, as containing subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventors, at the time the application was filed, had possession of the claimed invention. Applicants respectfully assert that there is adequate written description in the subject specification to convey to the ordinarily skilled artisan that they had possession of the claimed invention; however, in the interest of advancing prosecution in this matter, Applicants have

canceled claims 79-132 to render this issue moot. Accordingly, reconsideration and withdrawal of the rejection under 35 U.S.C. § 112, first paragraph, is respectfully requested.

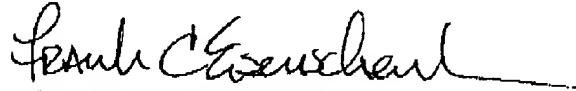
It should be understood that the amendments presented herein have been made solely to expedite prosecution of the subject application to completion and should not be construed as an indication of Applicants' agreement with or acquiescence in the Examiner's position. Applicants expressly reserve the right to pursue the invention(s) disclosed in the subject application, including any subject matter canceled or not pursued during prosecution of the subject application, in a related application (e.g., a continuation or divisional application).

In view of the foregoing remarks and amendments to the claims, Applicants believe that the currently pending claims are in condition for allowance, and such action is respectfully requested.

The Commissioner is hereby authorized to charge any fees under 37 CFR §§1.16 or 1.17 as required by this paper to Deposit Account No. 19-0065.

Applicants invite the Examiner to call the undersigned if clarification is needed on any of this response, or if the Examiner believes a telephonic interview would expedite the prosecution of the subject application to completion.

Respectfully submitted,



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